

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

SMITH

Serial No.: Not yet assigned

Filed: Herewith

For: "PROCESSING OF MULTIPLE
WAVELENGTH SIGNALS
TRANSMITTED THROUGH FREE
SPACE" (As Amended)

) Group Art Unit:

) Examiner:

) INFORMATION DISCLOSURE STATEMENT

) "EXPRESS MAIL" MAILING LABEL NUMBER: EL 767781299 US

) DATE OF DEPOSIT: January 21, 2002

) I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING
) DEPOSITED WITH THE UNITED STATES POSTAL SERVICE
) "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE
) UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS
) ADDRESSED TO THE ASSISTANT COMMISSIONER FOR
PATENTS, WASHINGTON, D.C. 20231.

TYPED OR PRINTED NAME: Angela P. Davis

SIGNATURE: 

Assistant Commissioner for Patents
Washington, D. C. 20231

Sir:

The references cited on attached Form PTO-1449 are being called to the attention of the Examiner. Copies of the cited references:

☒ Are enclosed herewith if not cited in Serial No. 09/339,316.

☒ Are not enclosed it cited in Serial No. 09/339,316, in accordance with 37 C.F.R. 1.98(d), because the references were submitted to the U.S. Patent and Trademark Office in prior application Serial No.09/339,316, Titled "Receiving Multiple Wavelengths at High Transmission Rates," and having a filing date of June 23, 1999, which is relied upon for an earlier filing date under 35 U.S.C. § 120

☐ To the best of applicants' belief, the pertinence of the foreign-language references are believed to be summarized in the attached English abstracts and in the figures, although applicants do not necessarily vouch for the accuracy of the translation.

☐ Examiner's attention is drawn to the following co-pending applications: Serial Nos.

Submission of the above information is not intended as an admission that any item is citable under the statutes or rules to support a rejection, that any item disclosed represents analogous art, or that those skilled in the art would refer to or recognize the pertinence of any reference without the benefit of hindsight, nor should an inference be drawn as to the pertinence of the references based on the order in which they are presented. Submission of this statement should not be taken as an indication that a search has been conducted, or that no better art exists.

JP0669 U.S. PRO
10/054150
01/21/02

It is respectfully requested that the cited information be expressly considered during the prosecution of this application and the references made of record therein.

FEES

<input checked="" type="checkbox"/>	<p>No fee is believed due in connection with this submission, because the information disclosure statement submitted herewith is being filed:</p> <p><input checked="" type="checkbox"/> within three months of the filing date of the application or date of entry into the national stage of an international application or</p> <p><input type="checkbox"/> before the mailing date of a first Office Action on the merits, whichever occurs last. 37 C.F.R. 1.97(b).</p> <p>Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970.</p>
<input type="checkbox"/>	<p>The information disclosure statement transmitted herewith is being filed after three months of the filing date of this national application or the date of entry of the national stage as set forth in 37 C.F.R. 1.491 in an international application or after the mailing date of the first Office action on the merits, whichever occurred last but before the mailing date of either:</p> <p>(1) a final action under 37 C.F.R. 1.113 or</p> <p>(2) a notice of allowance under 37 C.F.R. 1.311, whichever occurs first. This Information Disclosure Statement is accompanied by:</p> <p><input type="checkbox"/> A Certification (below) as specified by 37 C.F.R. 1.97(e). Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970.</p> <p>OR</p> <p><input type="checkbox"/> A check in the amount of \$240.00 for the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement. Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970.</p>
<input type="checkbox"/>	<p>This Information Disclosure Statement is being submitted after the mailing date of a final action under §1.113 or a notice of allowance under § 1.311, but before payment of the issue fee.</p> <p><input type="checkbox"/> This information Disclosure Statement includes a Certification (below) as specified by 37 C.F.R. 1.97(e)</p> <p>AND</p> <p><input type="checkbox"/> Applicants hereby petition for consideration of the references disclosed herein. Enclosed is a petition fee in the amount of \$130.00 under 37 C.F.R. 1.17(i)(1). Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970.</p>
<input type="checkbox"/>	<p>Applicant elects to pay the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement, and the enclosed check includes \$240.00 for payment of such fee. Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970. Election to pay the fee should not be taken as an indication that applicant(s) cannot execute a certification.</p>

Certification (37 C.F.R. 1.97(e))
(Applicable only if checked)

[X] The undersigned certifies that:

[X] Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(1).

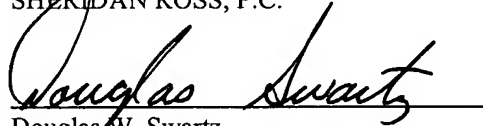
[X] A copy of the communication from the foreign patent office is enclosed.

OR

☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(2).

Respectfully submitted,

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Denver, CO 80202-5141

Jan. 21, 2002
Date

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FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	ATTY. DOCKET NO. 1604-316-CIP	SERIAL NO. Not yet assigned
	APPLICANT SMITH	
	FILING DATE Herewith	GROUP ART

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROP.
	AA	6,114,688	09/05/00	Tanaka, et al.	250	216	
	AB	6,043,918	03/28/00	Bozzay, et al.	359	172	
	AC	6,012,854	01/11/00	Kyoya	385	88	
	AD	5,978,121	11/02/99	Fischer, et al.	359	156	
	AE	5,959,752	09/28/99	Ota	359	152	
	AF	5,909,299	06/01/99	Sheldon, Jr., et al.	359	172	
	AG	5,872,621	2/16/99	Wilkerson et al.	356	28.5	
	AH	5,818,614	10/06/98	Nicolas, et al.	359	7	
	AI	5,757,523	05/26/98	Wood, et al.	359	15	
	AJ	5,726,786	03/10/98	Heflinger	359	152	
	AK	5,691,989	11/25/97	Rakuljic, et al.	372	20	
	AL	5,691,830	11/25/97	Dickson, et al.	359	15	
	AM	5,685,505	11/11/97	Meckler	244	169	
	AN	5,652,813	07/29/97	Wilson	385	24	
	AO	5,610,733	03/11/97	Feldman, et al.	359	9	
	AP	5,545,896	8/13/96	Bratt, et al.	250	338.4	
	AQ	5,331,621	07/19/94	Miyake, et al.	369	112	
	AR	5,530,565	06/25/96	Owen	359	15	
	AS	5,274,479	12/28/93	Zmek, et al.	359	15	
	AT	5,255,065	10/19/93	Schwemmer	356	5	
	AU	5,248,884	09/28/93	Brewitt-Taylor, et al.	250	338.4	

JP 999 U.S. PTO
10/05/01
01/21/03

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

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	APPLICANT SMITH	
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	AV	5,229,593	07/20/93	Cato	250	205	
	AW	5,227,859	7/13/93	Leib, et al.	556	347	
	AX	5,206,499	4/27/93	Mantravadi, et al.	250	203.6	
	AY	5,153,670	10/06/92	Jannson, et al.	356	301	
	AZ	5,078,499	01/07/92	LaMarche	359	19	
	BA	4,909,612	03/20/90	Scerbak, et al.	330	375	
	BB	4,810,047	05/07/89	Pernick	350	3.72	
	BC	4,797,179	01/10/89	Watson	156	647	
	BD	4,783,134	11/08/88	Hara, et al.	350	3.64	
	BE	4,643,519	02/17/87	Bussard, et al.	350	96.19	
	BF	4,636,631	01/13/87	Carpentier, et al.	250	216	
	BG	4,629,892	12/16/86	Carmichael, et al.	250	353	
	BH	4,547,037	10/15/85	Case	350	3.75	
	BI	4,490,981	01/01/85	Meckler	60	641.15	
	BJ	4,455,061	06/19/86	Case	350	3.75	
	BK	4,214,807	07/29/80	Gfeller, et al.	350	3.73	
	BL	3,923,400	12/2/75	Hardy	356	107	
	BM	3,746,427	07/17/73	Foster	350	161	
	BN	3,239,675	03/08/66	Morey, et al.	250	211	
	BO	3,161,772	12/15/64	Merlen	250	83.3	
	BP	2,964,636	12/13/60	Cary	250	211	
	BQ	09/339,316		Smith			06/23/99

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FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
							YES	NO
	BR	WO 00/79690 A2	12/28/00	PCT				

EXAMINER	DATE CONSIDERED
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